



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information, 8 days prior** to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: January 27, 2023
Submitted by: Town Manager Paul T. Micali
Department: General Government

Date of Meeting: February 16, 2023

Speakers: Paul Micali

Time Required: 15 minutes

Background Info. Supplied: Yes: No:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

Public Hearing - Consideration of Changes to Chapter 178, Taxation (Article V, Optional Veterans Credit), of the Merrimack Town Code

DESCRIPTION OF ITEM

The Town Council will hold a public hearing to consider the acceptance of recommended changes to Chapter 178, Taxation (Article V, Optional Veterans Credit), of the Merrimack Town Code, pursuant to Charter Article V.

REFERENCE (IF KNOWN)

RSA:		Warrant Article:	
Charter Article:	V	Town Meeting:	
Other:		N/A	

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name:	<u>Paul Micali</u>	Address	<u>6 Baboosic Lake Road</u>
Phone Number	<u>603-424-2331</u>	Email Address	<u>pmicali@merrimacknh.gov</u>

APPROVAL



LEGAL NOTICE
Town of Merrimack
Public Hearing



Residents of Merrimack are hereby advised that the Town Council will hold a public hearing to consider the recommended changes to Chapter 178, Taxation (Article V, Optional Veterans' Credit), of the Merrimack Town Code, pursuant to Charter Article V. Copies of the proposed changes are available at the Town Manager's office, Town Clerk's office, the Merrimack Public Library and also on the Town's website. All interested parties are invited to attend. The public hearing will be held on **Thursday, February 16, 2023, at 7:00 PM** in the Matthew Thornton Room located at 8 Baboosic Lake Road in Merrimack.

For Town of Merrimack Use:

Posted: February 3, 2023

To be published: February 3, 2023 (*Union Leader*)

To be published: February 10, 2023 (*Sunday Select / Merrimack Edition*)

Chapter 178, TAXATION

(Amended by the Merrimack Town Council 11-5-2009; 11-21-2019; 3-24-2022)

ARTICLE I, Semiannual Collection of Property Taxes

Superseded by Town Charter 7-11

ARTICLE II, Elderly Tax Exemptions

The elderly exemptions from property tax in the Town of Merrimack, based on assessed value, for qualified taxpayers, are as follows:

for a person 65 years of age up to 75 years, \$85,000;

for a person 75 years of age up to 80 years, \$115,000;

for a person 80 years of age or older, \$150,000.

To qualify, the person must have been a New Hampshire resident for at least three years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least five years. In addition, the taxpayer must have a net income of less than \$45,000 or, if married, a joint income of less than \$60,000; and own net assets not in excess of \$200,000, excluding the value of the person's residence.

(Article 10, 3-2-1976 by ballot by the Annual Town Meeting, Amended by Article 10, 3-14-1978; Article 11, 3-14-1978; Article 8, 5-11-1982; Article 10, 5-8-1989; Article 28, 4-8-1997; Article 16, 3-10-1998; Article 24, 3-9-1999; Article 23, 4-9-2002; Article 21, 4-12-2005; Article 22, 4-12-2005, Article 2, 12-3-2009.)

ARTICLE III, Election Not to Collect Resident Tax

The Town has chosen, pursuant to the provisions of RSA 72:1-c not to assess, levy and collect a resident tax. (Article voted in the affirmative 11-4-1986)

ARTICLE IV, Exemption for the Blind

The Town has adopted the provisions of RSA 72:37 for the exemption for the blind from property tax. This statute provides that every inhabitant who is legally blind shall be exempt each year from the property tax on a residence to the value of \$15,000. (Article 13, voted in the affirmative 5-13-1986)

ARTICLE V, Optional Veterans' Credit

The Town has [re-]adopted the provisions of RSA 72:28 and 72:28-b for an optional veterans' property tax credit [to include eligible active duty veterans] and an expanded qualifying war service for veterans seeking the tax credit. The optional veterans' tax credit is \$500 per year. In order to qualify, a veteran must meet the qualifications contained within RSA 72:28 and 72:28-b. (Article 22, voted in the affirmative 5-8-1990; amended by Article 17, 4-13-2004; Article 6 of the 2007 Town Meeting; Article 3 of the 4-10-2018 Town Meeting)

ARTICLE VI, Optional Property Tax Credit

The Town has adopted the provisions of RSA 72:35 for an optional property tax credit on residential property for a service connected total disability. The credit is \$4,000 per year. In order to qualify, a veteran, or his or her spouse, must meet the qualifications contained within RSA 72:35. (Article 23, voted in the affirmative 5-8-1990 by ballot of the Annual Town Meeting; amended by Article 16, voted in the affirmative 4-13-2004)

ARTICLE VII, Exemption for the Disabled

The Town has adopted a property tax exemption for the disabled. The exemption, based on assessed value, for qualified taxpayers shall be \$75,000. To qualify, the person must have been a New Hampshire resident for at least five years and own and occupy the real estate individually or jointly, or if the real estate is owned by a spouse, they must have been married for at least five years. In addition, the taxpayer must have a net income of not more than \$50,000 or, if married, a combined income of not more than \$67,500; and own net assets not in excess of \$200,000, excluding the value of the person's residence. In order to qualify, the applicant must meet the qualifications contained in RSA 72:37-b.

(Article 29, voted in the affirmative 4-8-1997 by ballot by the Annual Town Meeting; amended by Article 24, 4-9-2002 by ballot of the Annual Town Meeting; Article 6 of the 2007 Annual Town Meeting; Amended by Town Council 10-26-2017)

ARTICLE VIII, Credit for Veterans' Surviving Spouses

The Town has adopted the provisions of RSA 72:29-a(II) to increase a surviving spouse's property tax credit for surviving spouses of veterans who died while on active duty in the armed forces of the United States. The tax credit for a surviving spouse shall be \$2,000 per year. In order to qualify, a surviving spouse of a veteran must meet the qualifications contained within RSA 72:29-a. (Article 18, voted in the affirmative 4-13-2004 by ballot of the Annual Town Meeting; Amended by the Merrimack Town Council December 3, 2009)

ARTICLE IX, Solar Exemption

- A. Pursuant to RSA 72:27-a, the Town of Merrimack has adopted a solar energy systems real property tax exemption, based on assessed value, as follows:

- (1) Solar energy system means a system which utilizes solar energy to heat or cool the interior of a building or to heat water for use in a building and which includes one or more collectors and a storage container. The term "solar energy system" also means a system which provides electricity for a building by the use of photovoltaic panels.
- (2) Criteria for exemption. The exemption will be given if it follows the prescribed definition of the solar energy system as described in subsection (a) of this section and all necessary applications and information have been received from the applicant.
- (3) Amount of exemption. The exemption shall equal 100 percent of the total assessed value in the solar energy system, up to a maximum of \$25,000.

Authenticated:

Finlay C. Rothhaus, Town Council Chairman

Date

Diane Trippett, Town Clerk / Tax Collector

Date

1 **MOTION** made by Vice Chair Harrington and seconded by Councilor Hunter to accept and expend a
2 donation in the amount of \$675.42 from Boy Scout George Schwartz to the Parks and Recreation
3 Department to be used for future park improvements at Twin Bridge Park, pursuant to RSA 31:95-b
4 and Charter Article 8-15. This is surplus money from his fundraising efforts that he raised to
5 complete his Eagle Scout Project at Twin Bridge Park, and authorize the Town Manger to sign any
6 and all necessary documents.

7 **MOTION CARRIES 6-0-0**

8
9 **3. Donation Acceptance for Merrimack Fire Rescue Department**

10 *Submitted by Fire Chief Mark DiFronzo*

11 The Town Council to consider the acceptance and expenditure of a donation in the amount of \$2,500
12 from the Digital Federal Credit Union for the Merrimack Fire Rescue Department to be used towards
13 programs and services that make a difference in the community, pursuant to RSA 31:95-b and
14 Charter Article 8-15.

15
16 **MOTION** made by Councilor Koenig and seconded by Councilor Murphy to accept and expend a
17 donation in the amount of \$2,500 from the Digital Federal Credit Union for the Merrimack Fire
18 Rescue Department to be used towards programs and services that make a difference in the
19 community, pursuant to RSA 31:95-b and Charter Article 8-15, and authorize the Town Manger to
20 sign any and all necessary documents.

21 **MOTION CARRIES 6-0-0**

22
23 **4. Consideration of Changes to Chapter 178, Taxation (Article V, Optional Veterans' Credit), of
24 the Merrimack Town Code [First Reading]**

25 *Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair Nancy Harrington*

26 The Town Council to consider the acceptance of recommended changes to Chapter 178, Taxation
27 (Article V, Optional Veterans' Credit), of the Merrimack Town Code, pursuant to Charter Article V.

28
29 Town Manager Paul Micali shared that this is the first read, and the change includes active duty veterans to
30 the tax credit. This now needs to be moved to a public hearing. Chairman Rothhaus shared that he previously
31 recused himself as he has the potential to benefit from this tax credit, and is going to recuse himself again as
32 well.

33
34 **MOTION** made by Councilor Murphy and seconded by Councilor Koenig to accept the recommended
35 changes to Chapter 178, Taxation (Article V, Optional Veterans' Credit), of the Merrimack Town
36 Code, pursuant to Charter Article V and move this to a public hearing.

37 **MOTION CARRIES 4-0-0** with Chairman Rothhaus and Councilor Hunter recusing themselves.

38
39 **5. Acceptance of Donation of Trees for Sklar Waterfront Park Sub-committee**

40 *Submitted by Michael Drouin*

41 The Town Council to consider the acceptance of a donation of 100 seedlings from Michael Drouin
42 valued at approximately \$117.50 purchased from the State nursery to the Sklar Waterfront Park Sub-
43 committee to assist in the enhancement of the property's habitats, pursuant to RSA 31:95-e and
44 Charter Article 8-15.

45
46 **MOTION** made by Councilor Hunter and seconded by Councilor Murphy to table this agenda item
47 until further notice.

48 **MOTION CARRIES 6-0-0**